

REMARKS

Reconsideration and the timely allowance of the pending claims, in view of the following remarks, are respectfully requested.

By this Amendment, claims 1, 2, 4, 6, 8, and 15 have been amended to revise their form. Applicant submits that no new matter has been introduced. As such, claims 1-4, 6-9, 11, 13, and 15-17 are presented for examination of which claims 1, 2, 8, and 15 are independent.

EXAMINER INTERVIEW

Supervisory Patent Examiner George Eng and Examiner Khawar Iqbal are thanked for the courtesies extended to Applicant's representatives during an in-person interview conducted on January 14, 2009. Differences between Applicant's claimed features and the reference relied upon by the Examiner were discussed. The Examiner suggested that Applicant file a response under 35 C.F.R. § 1.116, and indicated that he would reconsider the application and contact Applicant's representative prior to issuing another Office Action, should another Office Action be necessary.

Also, during the interview, the Examiner raised statutory subject matter issues with respect to claim 8. Without conceding to the propriety of the Examiner's assertion and *solely* in an effort to expedite prosecution, Applicant have amended claim 8 to address such issues.

REJECTIONS UNDER 35 U.S.C. § 102

The Examiner rejected claims 1-4, 6-9, 11, 13, 15-17 under 35 U.S.C. §102(e), as allegedly being anticipated by Forslow (U.S. Patent Application Publication No. 2003/0039237).

Applicant respectfully traverses the rejection, under 35 U.S.C. §102(e), because Forslow fails to disclose each of the features of Applicant's pending claims. For example Forslow fails to disclose at least the following features of claim 1:

the home location register maintaining *a subscriber-specific access parameter* which *indicates, independently of the address information,*

whether the mobile subscriber has access rights to the first network and/or the second network;

in response to said message for requesting the mobile subscriber data, the home location register sending the mobile subscriber data and also said subscriber-specific access parameter;

whereby the network element that requested the mobile subscriber data is operable to use said subscriber-specific access parameter for restricting the access of the mobile subscriber only to the first network or to the second network

Forslow relates to determining a type of bearer to be allocated to application flows based on requested quality of service. For example, a circuit-switched bearer is allocated if an application flow requests low delay or small jitter per packet, and a packet-switched bearer is allocated if an application flow requests fast channel access or bursty data transfer capability [See Forslow, at paragraph 25, for example].

By contrast, Applicant's claimed invention relates to a method of registering a multimode mobile station in a telecommunications system that supports a first network and a second network of different types (for example, circuit-switched and packet-switched networks), wherein the telecommunication system comprises a home location register that maintains in addition to mobile subscriber data (that comprises address information for accessing a mobile subscriber via the two networks), a subscriber-specific access parameter that indicates, independently of the address information, whether the mobile subscriber has access rights to the first network and/or the second network.

One advantage of the use of the claimed subscriber-specific access parameter is the decrease of the signaling load in the system. For example, if the subscriber-specific access parameter indicates that the mobile subscriber has access rights to only a packet-switched network, unnecessary signaling to the circuit-switched network elements is avoided. [See, for example, specification-as-filed, at pgs. 6-8].

Forslow clearly fails to disclose the claimed subscriber-specific access parameter which is maintained in the home location register and indicates, independently of the address information, whether the mobile subscriber has access rights to the first network and/or the second network.

The Examiner relies on paragraphs 11, 30-32, and 50 of Forslow for this feature. Paragraph 11 of Forslow simply describes conventional HLR functionality, where the HLR

stores permanent subscriber data such as mobile station ISDN number, an international mobile subscriber identity (IMSI), a list of services that a mobile subscriber is authorized to use, etc. At best, Forslow's HLR can be construed to maintain Applicant's claimed mobile subscriber data which comprises address information. However, there is no mention of Forslow's HLR maintaining, independently of the address information, the claimed subscriber-specific access parameters that indicates whether the mobile subscriber has access rights to the first network and/or the second network.

Paragraph 50 of Forslow discloses that the HLR stores a PDP context for each mobile subscriber in corresponding subscription records, wherein the PDP subscription record includes subscribed quality of service profiles/parameters, subscribed-to external networks, a MSid such as IMSI, etc. Applicant submits that there is absolutely no disclosure in Forslow of any of the parameters included in the PDP subscription record indicating, independently of the address information, whether the mobile subscriber has access rights to the first network and/or the second network.

Furthermore, paragraphs 30-32 of Forslow appear to describe a common access procedure for authenticating the identity the mobile station with an external network entity (for example, the Internet). These citations also fail to disclose the claimed subscriber-specific access parameter which is maintained in the home location register and indicates, independently of the address information, whether the mobile subscriber has access rights to the first network and/or the second network.

Moreover, the Examiner relies on paragraphs 50, 75, and 99 of Forslow to disclose the feature of: "in response to said message for requesting the mobile subscriber data, the home location register sending the mobile subscriber data and also said subscriber-specific access parameter." Applicant strenuously disagrees.

Paragraph 50 of Forslow states - "[w]hen a mobile station attached to the GPRS network, the mobile station's subscription record is retrieved from the HLR 42." Paragraph 75 of Forslow states - "[t]he DAU 102 determines to which specific GGSN to establish the L2TP tunnel using the external entity telephone number and subscription information retrieved from the HLR such as the *mobile's IMSI*." Paragraph 99 of Forslow states - "[t]he direct access unit 112 analyzes the B telephone number of the called party, and selects an

L2TP endpoint based on that B number and HLR subscription data, i.e., the appropriate GGSN for connecting the call to B.”

None of these citations disclose that Forslow’s HLR sends mobile subscriber data ***and also the subscriber-specific access parameter*** in response to a message for requesting the mobile subscriber data. These citations simply state that subscriber information (e.g., mobile station IMSI) is retrieved from the HLR. Also, to the extent that Forslow discloses any access considerations, they are based on the mobile station’s IMSI or telephone number of the called party, which at best can be construed as address information. Thus, Forslow clearly fails to disclose that in response to a message for requesting the mobile subscriber data, the home location register sends the mobile subscriber data and also said subscriber-specific access parameter. Furthermore, as mentioned above, since Forslow fails to disclose that the HLR maintains the claimed subscriber-specific access parameter, it cannot disclose that the HLR sends the claimed subscriber-specific access parameter.

Furthermore, the Examiner erroneously relies on paragraph 83 of Forslow to disclose the feature of: “the network element that requested the mobile subscriber data is operable to use said subscriber-specific access parameter for restricting the access of the mobile subscriber only to the first network or to the second network.”

Paragraph 83 discloses that GSM defines three different classes of mobiles: Class A, Class B, and Class C. However, there is no mention of the claimed subscriber-specific parameter being used by a network element that requested the mobile subscriber data for *restricting access* of the mobile subscriber only to the first or to the second network.

Thus, for at least these reasons, Applicant submits that Forslow fails to disclose the claimed combination of elements recited by claim 1. As such, claim 1 is clearly patentable. And, because claims 3-4, 6, and 7 depend from claim 1, either directly or indirectly, claims 3-4, 6, and 7 are patentable at least by virtue of dependency as well as for their additional recitations. Accordingly, the immediate withdrawal of the rejection of claims 1, 3-4, 6, and 7 is respectfully requested.

Applicant further submits that because independent claims 2, 8, and 15 recite similar patentable features as claim 1, claims 2, 8, and 15 are also patentable for the same reasons given relative to claim 1. And, because claims 9, 11, 13, and 16-17 depend from one of claims 2, 8, and 15, claims 9, 11, 13, and 16-17 are patentable at least by virtue of

dependency as well as for their additional recitations. Accordingly, immediate withdrawal of the rejection of claims 2, 8, 9, 11, 13, and 15-17 is respectfully requested.

CONCLUSION


All matters having been addressed and in view of the foregoing, Applicant respectfully requests the entry of this Amendment, the Examiner's reconsideration of this application, and the immediate allowance of all pending claims.

Applicant submits that the entry of this Amendment is proper under 37 C.F.R. § 1.116 as the claim changes: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not require any further consideration as the changes incorporate, in one form or another, features that should have been already searched; and (c) places the application in better form for an Appeal, should an Appeal be necessary.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

PILLSBURY WINTHROP
SHAW PITTMAN LLP

By: 

E. R. HERNANDEZ
Reg. No. 47641
Tel. No. 703.770.7788
Fax No. 703.770.7901

Date: February 12, 2009
P.O. Box 10500
McLean, VA 22102
(703) 770-7900